

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No : 09/664,118 Confirmation No. 9049
Patent No : 7,478,599
Applicant : Todd L. Lydic et al
Filed : 09/18/2000
TC/A.U. : 3726
Examiner :
Docket No. : JAC-990015
Customer No. : 36,787

LETTER REGARDING THE CERTIFICATE OF CORRECTIONS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

A Certificate of Corrections is being filed herewith to correct the printing errors for Patent No. 7,478,599.

Remarks begin on page 2.

Certificate of Corrections, PTO/SB/44, begin on page 3.

Copy of supporting documents begin on page 4.

Remarks:

Please Correct the Patent Term Adjustment as Listed on the Front Page of the Patent:

The patent term adjustment listed on the NOTICE OF ALLOWANCE AND FEE(S) DUE, in the ISSUE NOTIFICATION and at the United States Patent and Trademark internet site in the Private Pair System is calculated to extend the full term of this patent by 2045 days. This term amount is believed to be correct. The official patent received noted an extension of only 1826 days. A copy of the Notice of Allowance, Issue Notification and of the Patent Office calculations from Private Pair are attached to the end of this document.

The above identified error correction is requested in the attached PTO/SB/44 form. This is a patent office error and as they appear on the front page of the patent, they warrant this Certificate of Correction as opposed to a letter regarding printing errors.

Respectfully Submitted;

The BLK LAW Group

/Blynn L. Shideler/

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UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

Page 1 of 1

PATENT NO. : 7,478,599

APPLICATION NO.: 09/664,118

ISSUE DATE : 01/20/2009

INVENTOR(S) : Todd L. Lydic, Tamo Bianchi, James A Decker

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

The notice regarding the term of the patent

(*) Notice: should read - -

Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 2045 days.

MAILING ADDRESS OF SENDER (Please do not use customer number below):

This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: **Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

09/664,118 RAILROAD CAR HAVING COLD FORMED CENTER SILL 01-28-2009::13:16:01

Patent Term Adjustments

Patent Term Adjustment (PTA) for Application Number: 09/664,118

Filing or 371(c) Date:	09-18-2000	USPTO Delay (PTO) Delay (days):	2078
Issue Date of Patent:	01-20-2009	Three Years:	-
Pre-Issue Petitions (days):	+0	Applicant Delay (APPL) Delay (days):	33
Post-Issue Petitions (days):	+0	Total PTA (days):	2045
USPTO Adjustment(days):	+0	Explanation Of Calculations	

Patent Term Adjustment History

Date	Contents Description	PTO(Days)	APPL(Days)
12-29-2008	PTA 36 Months		
01-20-2009	Patent Issue Date Used in PTA Calculation		
12-23-2008	Dispatch to FDC		
12-23-2008	Application Is Considered Ready for Issue		
09-26-2008	Issue Fee Payment Verified		
09-26-2008	Issue Fee Payment Received		
06-27-2008	Mail Notice of Allowance		
06-24-2008	Notice of Allowance Data Verification Completed		
06-23-2008	Document Verification		
06-23-2008	Examiner's Amendment Communication		
06-17-2008	Date Forwarded to Examiner		
05-28-2008	Amendment/Argument after Notice of Appeal		
05-21-2008	Mail Post-examiner ans. com		
05-20-2008	Post-examiner ans. com		
02-27-2008	Mail BPAI Decision on Appeal - Affirmed in Part	751	
02-27-2008	BPAI Decision - Examiner Affirmed in Part	⚡	
02-12-2008	Mail BOA miscellaneous communication to applicant	⚡	
02-11-2008	BOA miscellaneous communication to applicant	⚡	
01-08-2008	Request for Oral Hearing	⚡	
01-08-2008	Confirmation of Hearing by Appellant	⚡	

03-13-2007	Docketing Notice Mailed to Appellant	✦
03-13-2007	Assignment of Appeal Number	✦
01-31-2007	Appeal Awaiting BPAT Docketing	✦
01-18-2007	Mail Reply Brief Noted by Examiner	✦
01-10-2007	Reply Brief Noted by Examiner	✦
12-04-2006	Request for Oral Hearing	✦
12-12-2006	Date Forwarded to Examiner	✦
12-04-2006	Reply Brief Filed	✦
10-19-2006	Exam. Ans. Review Complete	✦
10-02-2006	Mail Examiner's Answer	✦
09-27-2006	Examiner's Answer to Appeal Brief	✦
09-06-2006	Appeal Brief Review Complete	✦
09-06-2006	Date Forwarded to Examiner	✦
08-21-2006	Appeal Brief Filed	✦
08-03-2006	Notice -- Defective Appeal Brief	✦
06-28-2006	Appeal Brief Review Complete	✦
06-28-2006	Date Forwarded to Examiner	✦
06-15-2006	Defective / Incomplete Appeal Brief Filed	✦
06-15-2006	Appeal Brief Filed	✦
05-15-2006	Notice -- Defective Appeal Brief	✦
04-11-2006	Date Forwarded to Examiner	✦
04-07-2006	Defective / Incomplete Appeal Brief Filed	✦
04-07-2006	Appeal Brief Filed	✦
02-21-2006	Mail Advisory Action (PTOL - 303)	✦
02-16-2006	Advisory Action (PTOL-303)	✦
02-13-2006	Date Forwarded to Examiner	✦
02-07-2006	Amendment/Argument after Notice of Appeal	✦
02-07-2006	Notice of Appeal Filed	✦
11-08-2005	Mail Final Rejection (PTOL - 326)	
11-07-2005	Final Rejection	
10-18-2005	Date Forwarded to Examiner	
10-07-2005	Response after Non-Final Action	
09-13-2005	IFW TSS Processing by Tech Center Complete	

07-22-2005	Correspondence Address Change		
07-07-2005	Mail Non-Final Rejection	1327	
07-05-2005	Non-Final Rejection	✳	
07-05-2005	File Marked Found	✳	
06-22-2005	Case Docketed to Examiner in GAU	✳	
06-21-2005	Case Docketed to Examiner in GAU	✳	
05-12-2005	Reconstruction Completed	✳	
04-11-2005	Response to 37 CFR 1.251 Notice - Papers Provided for File Reconstruction	✳	
05-11-2005	Reconstruction of File - Begin	✳	
03-07-2005	Mail Reconstruction Notice - Pending Application	✳	
03-07-2005	Reconstruction Notice under 37 CFR 1.251 - Pending Application	✳	
12-01-2004	File Marked Lost	✳	
06-18-2003	Application Dispatched from OIPE	✳	
06-18-2003	Application Is Now Complete	✳	
03-13-2001	Payment of additional filing fee/Preexam		33
03-13-2001	A statement by one or more inventors satisfying the requirement under 35 USC 115, Oath of the Applic	✳	
06-18-2003	Withdraw Publication/Pre-Exam Abandon	✳	
01-09-2001	Abandonment -- During Preexam Processing	✳	
11-08-2000	Notice Mailed--Application Incomplete-- Filing Date Assigned	✳	
11-08-2000	Correspondence Address Change		
10-03-2000	IFW Scan & PACR Auto Security Review		
09-18-2000	Initial Exam Team nn		



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	ISSUE DATE	PATENT NO.	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/664,118	01/20/2009	7478599	2709-990015	9049

36787 7590 12/29/2008
BLYNN L. SHIDELER
THE BLK LAW GROUP
3500 BROOKTREE ROAD
SUITE 200
WEXFORD, PA 15090

ISSUE NOTIFICATION

The projected patent number and issue date are specified above.

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment is 2045 day(s). Any patent to issue from the above-identified application will include an indication of the adjustment on the front page.

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at (571)-272-4200.

APPLICANT(s) (Please see PAIR WEB site <http://pair.uspto.gov> for additional applicants):

Todd L. Lydic, Johnstown, PA;
Tamo Bianchi, Oakville, CANADA;
James A. Decker, Windber, PA;



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
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Alexandria, Virginia 22313-1450
www.uspto.gov

NOTICE OF ALLOWANCE AND FEE(S) DUE

36787

7590

06/27/2008

BLYNN L. SHIDELER
THE BLK LAW GROUP
3500 BROOKTREE ROAD
SUITE 200
WEXFORD, PA 15090

EXAMINER

LE, MARK T

ART UNIT

PAPER NUMBER

3617

DATE MAILED: 06/27/2008

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/664,118

09/18/2000

Todd L. Lydic

2709-990015

9049

TITLE OF INVENTION: RAILROAD CAR HAVING COLD FORMED CENTER SILL

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1440	\$0	\$0	\$1440	09/29/2008

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: **Mail** **Mail Stop ISSUE FEE**
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
or Fax **(571)-273-2885**

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

36787 7590 06/27/2008
BLYNN L. SHIDELER
THE BLK LAW GROUP
3500 BROKKTREE ROAD
SUITE 200
WEXFORD, PA 15090

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE-FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/664,118	09/18/2000	Todd L. Lydic	2709-990015	9049
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TITLE OF INVENTION: RAILROAD CAR HAVING COLD FORMED CENTER SILL

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1440	\$0	\$0	\$1440	09/29/2008

EXAMINER	ART UNIT	CLASS-SUBCLASS
LE, MARK T	3617	105-406100

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

☐ "Fee Address" indication (or "Fee Address" Indication form PTO/A/47; Rev 03-02 or more recent) attached. Use of a **Customer Number is required.**

2. For printing on the patent front page, list

(1) the names of up to 3 registered patent attorneys or agents OR, alternatively,

1

(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

2

3

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY AND STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee
☐ Publication Fee (No small entity discount permitted)
☐ Advance Order - # of Copies _____

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
☐ Payment by credit card. Form PTO-2038 is attached.
☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. **Change in Entity Status** (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature _____ Date _____

Typed or printed name _____ Registration No. _____

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/664,118	09/18/2000	Todd L. Lydic	2709-990015	9049
36787	7590	06/27/2008		
EXAMINER				
L.E. MARK T				
ART UNIT			PAPER NUMBER	
3617				
DATE MAILED: 06/27/2008				

36787 7590 06/27/2008

BLYNN L. SHIDELER
THE BLK LAW GROUP
3500 BROOKTREE ROAD
SUITE 200
WEXFORD, PA 15090

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 2045 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 2045 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

Notice of Allowability

Application No.

09/664,118

Examiner

MARK T. LE

Applicant(s)

LYDIC ET AL.

Art Unit

3617

- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERIT IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendments filed 5/28/08.
2. ☒ The allowed claim(s) is/are 2, 4-5 and 11-20.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.